Palifornia MEDICAL ASSOCIATION

Council Meeting Minutes 431st Meeting

Tentative Draft: Minutes of the 431st Meeting of the Council, San Francisco, St. Francis Hotel, February 8, 1958.

The meeting was called to order by Chairman Lum in the Georgian Room of the St. Francis Hotel, San Francisco, on Saturday, February 8, 1958, at 9:30

Roll Call:

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Present were President MacDonald, President-Elect West, Speaker Doyle, Vice-Speaker O'Neill, Secretary Daniels, Editor Wilbur and Councilors MacLaggan, Wheeler, Wadsworth, Harrington, Mc-Pharlin, Sherman, Lum, Bostick, Teall, Reynolds, Varden, Heron and Hoyt. Absent for cause, Councilors Foster, Pearman and Kirchner.

Present by invitation were Messrs. Hunton, Thomas, Clancy, and Gillette of C.M.A. staff; Messrs. Hassard and Huber of legal counsel; Messrs. Read and Salisbury of the Public Health League of California; county society executive officers Scheuber of Alameda-Contra Costa, Bannister of Orange, Marvin of Riverside, Foster of Sacramento, Donmyer of San Bernardino, Nute of San Diego, Neick of San Francisco, Thompson and Pearce of San Joaquin, Wood of San Mateo, Colvin of Santa Clara; Messrs. Paolini and Wahlberg and Doctors Larsen and Gardenier of California Physicians' Service; Fred O. Field, legal counsel of the Los Angeles County Medical Association; Doctor Marshall Porter, State Director of Mental Hygiene; Doctor Ferrall H. Moore, president of the San Mateo County Medical Society; and Doctors John Rumsey, Malcolm Watts, Dan O. Kilroy, Robert Combs and Malcolm Merrill, state director of Public Health.

A quorum present and acting.

1. Minutes for Approval:

Minutes of the 430th meeting of the Council, held January 11 and 12, 1957, in Los Angeles, were presented and, after several amendments, on motion duly made and seconded, were approved.

2. Membership:

- (a) A report of membership as of February 6, 1958, was presented and ordered filed.
- (b) On motion duly made and seconded in each instance, nine members were voted Retired Membership. These were: Lloyd E. Lacey, Alameda-Contra Costa County; Harold N. Brodersen, Fred L. Glascock, William O. Leach, David M. Olkon, Arthur P. Stevenson, John G. Turley, Los Angeles County; Howard H. Dignan, Edward A. Schaper, San Francisco County.
- (c) On motion duly made and seconded in each instance, nine applicants were elected to Associate Membership. These were: Benjamin Lieberman, Hamlet C. Pulley, Maurice Schiff, Alameda-Contra Costa County; Louis Lesko, Jr., Olive Lundgren, Los Angeles County; E. E. Simpson, Sacramento County; Raymond H. Brown, Richard M. Gross, Shirley G. Hall. San Francisco County.
- (d) On motion duly made and seconded, ten members were granted a reduction in dues because of illness or postgraduate study.

3. Financial:

A report of bank balances as of February 6, 1958, was presented and ordered filed.

FRANK A. MacDONALD, M.D President
FRANCIS E. WEST, M.D President-Elect
JAMES C. DOYLE, M.D Speaker
J. NORMAN O'NEILL, M.D Vice-Speaker
DONALD D. LUM, M.D Council Chairman
ALBERT C. DANIELS, M.D Secretary-Treasurer
IVAN C. HERON, M.D Chairman, Executive Committee
DWIGHT L. WILBUR, M.D Editor
JOHN HUNTON Executive Secretary
General Office, 450 Sutter Street, San Francisco 8

ED CLANCY Director of Public Relations Southern California Office:

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4. Commission on Public Health and Public Agencies:

Doctor Warren Bostick, chairman of the Commission on Public Health and Public Agencies, presented a request from the State Department of Public Health for cooperation in a follow-up study of cancer cases to involve the assistance of individual physicians. On motion duly made and seconded, it was voted to approve this study.

Doctor Bostick also presented a request for sponsorship by the Association, along with other sponsors, of a food conference scheduled by agricultural and allied groups. On motion duly made and seconded, it was voted to participate and cooperate but not to sponsor the program.

Report was also made on studies under way on antibiotic-resistant organisms and on nalline as an agent for the determination of drug addiction.

Discussion was held on practices involving the Crippled Children's Program and others where a third party is involved. On motion duly made and seconded, it was voted to request the Commission on Medical Services to study this entire field and report back to the Council.

Doctor Bostick also reported that studies were under way in the fields of rehabilitation and policies relative to various health services, reports on which will be made later.

5. Medical Care for Military Dependents:

Doctor John Rumsey, chairman of the committee authorized to discuss the "Medicare" program with Army officials, reported on meetings just concluded in Washington and presented the tentative form of contract to cover this program for 1958.

After considerable discussion, it was regularly moved, seconded and voted, that the Council approve the 1958 renewal of the "Medicare" contract; that with the advice of the Commission on Medical Services the Council review and establish its basic policy regarding fee schedule negotiations and contractual relationships involving medical service; that such basic policy be submitted to the following meeting of the House of Delegates for its consideration and approval; and that thereafter all future contracts should conform to the established policy.

6. C.M.A. Structural Survey:

Councilor Sherman, chairman of a committee established to review the report and recommendations of the study of the Association made by Robert Heller & Associates, reported on several sections of this study; actions taken in conformity with Doctor Sherman's report included:

1. Annual meetings of county society officers are to be continued as in the past.

- 2. Minutes or notes on discussions held by the Medical Executives Conference are to be prepared and distributed to members of the Council and to secretaries of county medical societies.
- 3. The Council shall be the sole policy-making body of the Association during adjournment of the House of Delegates.
 - 4. The Executive Committee shall be abolished.
- 5. An Advisory Committee for Emergency Action shall be established, to consist of the President, President-Elect, Council Chairman and Speaker, to rule on matters requiring prompt action between meetings of the Council.
- 6. The Auditing Committee is to continue its present functions, except for modification of present requirements for inspection of all financial items by two of its members, and the name is to be changed to Finance Committee.
- 7. The position of Director General is to be established, the office to include various duties as outlined by the Sherman committee and the position to be filled when and as an acceptable candidate is located.
- 8. County societies shall be asked to forward candidates for appointment to the commissions and committees to the chairman of the committee on nominations, and consideration shall be given to rearranging subcommittees under the various commissions.
- 9. The Council shall recommend to Audio-Digest Foundation the appointment of a general manager when feasible and the reduction of the Board of Trustees to about six or seven members.
- 10. The Operating Committee of the Physicians' Benevolence Fund, Inc., shall continue its present operations.
- 11. The Assistant to the Editor of CALIFORNIA MEDICINE shall be made an ex-officio member of the Committee on History and Obituaries.
- 12. The title of Secretary-Treasurer shall be changed to Secretary and the duties of the Treasurer transferred to the chief administrative officer.
- 13. Two signatures shall be required on Association checks, as at present; the title Executive Secretary to remain unchanged.
- 14. A Division of Office Services shall be established in the central office to handle internal office affairs.
- 15. Changes shall be effected in the dues structure, to provide the payment of one-half the annual dues for Associate Members and for those in the first three years of medical practice and complete remission of dues for members above the age of seventy years or those whose practice ceased temporarily because of illness or absence for postgraduate training.

- 16. Uniform charts of accounts shall be maintained and monthly summary reports furnished to commissions and committees requesting them.
- 17. Questions concerning format, content and administration of CALIFORNIA MEDICINE shall be referred to the Executive Committee of the Editorial Board of the journal for consideration and later report to the Council.
- 18. The Council shall establish policies relative to public relations and transfer such policies to a strong Committee on Public Relations which shall direct and supervise this activity. The Director of Public Relations shall continue to be located in Los Angeles.
- 19. As office space becomes available, the Physicians' Placement Service shall be expanded under a full-time employee.

The above actions were all taken on motions duly made and seconded. It was also duly moved, seconded and voted that appropriate By-Law amendments be prepared for approval by the Council and submittal to the 1958 House of Delegates.

7. Commission on Public Policy:

Doctor Dan O. Kilroy, chairman of the Commission on Public Policy, and Doctor Malcolm Merrill, State Director of Public Health, discussed the need of additional funds in the 1959 State budget to provide for new fees approved for the Crippled Children's Program last year, and Doctor Kilroy asked authority for Doctor Frank J. Cox to appear before a State Senate committee on this subject. On motion duly made and seconded, it was voted to authorize Doctor Cox to make this appearance in support of the increased budget item.

Doctor Kilroy and Doctor Marshall Porter, State Director of Mental Hygiene, also discussed the question of seven state-operated mental health clinics which both speakers proposed be taken over by community mental health clinics under the terms of new legislation; it has been proposed that a period of 18 months, ending June 30, 1959, be allowed for counties to effect this takeover and, on motion duly made and seconded, it was voted to approve this time allowance.

Doctor Kilroy reported that a letter relative to the Forand Bill, now before the U. S. Congress, had been mailed to all members of the Association.

Doctor Kilroy also reported on hearings by interim committees on the subjects of cancer quackery and diploma mills. In regard to the latter subject, it was regularly moved, seconded and voted to request the Governor of California to include this subject in an official call for a special session of the State Legislature in 1958.

8. Public Welfare Assistance Law:

Councilor Harrington, chairman of the liaison committee with the State Department of Public Welfare, reported on a meeting with that department, in which certain fee changes had been agreed upon. He also reported that San Diego, Kern, Sacramento and the San Joaquin counties had been selected as areas for a pilot study in the handling of welfare cases without prior authorization from welfare officials. If this requirement can be removed, such action would later be taken in all counties. A communication from the Los Angeles County Medical Association, in which that organization requested to be included in this pilot study, was presented; the association stated its intention to advise its members to withdraw from this program if this request were not met.

Doctor Harrington also reported that the University of California Hospitals in San Francisco were experimenting with welfare cases on a per diem basis, while the Stanford Hospitals were continuing on an itemized charge basis as a control.

Mr. Hassard reported that changes in federal laws would be required to achieve a uniformity in payment for services provided under the welfare program which had been sought earlier.

It was agreed that the Council should study a proposal made by the State Department of Social Welfare for a study of the amount of care given in county hospitals for the indigent and the medically indigent.

On motion duly made and seconded, it was voted to approve the request of a component county society for use of the Association's addressograph list for a mailing to all members on the welfare law.

9. Amendment to C.M.A. By-Laws:

Mr. Hunton reported that since the date for Annual Sessions has been advanced two months, it would be advisable to amend the By-Laws to provide that the official count of membership to determine representation in the House of Delegates likewise be advanced two months, to September first of the year preceding the meeting of the House of Delegates. On motion duly made and seconded, it was voted to approve such an amendment for presentation to the House of Delegates.

10. Liaison with State Bar of California:

Doctor West reported that the operating rules for governing panels of expert witnesses to be made available to attorneys in medical malpractice cases had been submitted both to the Council and the Board of Governors of the State Bar of California. On motion duly made and seconded, these rules were voted approval.

11. California Physicians' Service:

Doctor West suggested that the Council recommend to the Board of Trustees of California Physicians' Service that a committee be named to study the medical needs of the aged. On motion duly made and seconded, this proposal was approved.

12. State Board of Nurse Examiners:

A request for appointment of members to confer with the State Board of Nurse Examiners on the evaluation of shortened training courses for nurses was presented by Doctor MacDonald. On motion duly made and seconded, it was voted to nominate Doctors William Kaiser of Oakland and J. Philip Sampson of Santa Monica for appointment to this committee.

13. Time and Place of Next Meeting:

The chairman, the Council concurring, announced that the next meeting of the Council would be held in Los Angeles on Sunday, March 9, 1958, following the March 8 meeting of county society officers.

Adjournment:

There being no further business to come before it, the meeting was adjourned at 5:40 p.m.

DONALD D. LUM, M.D., Chairman Albert C. Daniels, M.D., Secretary

432nd Meeting

Tentative Draft: Minutes of the 432nd Meeting of the Council, Los Angeles, Ambassador Hotel, March 9, 1958.

The meeting was called to order by Vice-Chairman Heron on Sunday, March 9, 1958, in the Colonial Room of the Ambassador Hotel, Los Angeles, at 9:30 a.m.

Roll Call:

Present were President MacDonald, President-Elect West, Speaker Doyle, Vice-Speaker O'Neill, Secretary Daniels and Councilors MacLaggan, Wheeler, Foster, Wadsworth, Pearman, Harrington, McPharlin, Sherman, Bostick, Teall, Kirchner, Reynolds, Varden, Heron, Hoyt and Rosenow. Absent for cause, Councilor Lum and Editor Wilbur.

A quorum present and acting.

Present by invitation were Messrs. Hunton, Thomas, Clancy, Gillette and Whelan of C.M.A. staff; Messrs. Hassard and Huber of legal counsel; Messrs. Read and Salisbury of the Public Health League of California; county society representatives Scheuber, Geisert, Pettis, Field, Bannister, Marvin, Donmyer, Nute, Neick, Thompson, Donovan and Clark (San Mateo County); Doctors Larsen and Gardenier and Messrs. Paolini, Lyon, Wahlberg

and others of California Physicians' Service; Richard Blum, Ph.D.; Doctor Malcolm Merrill, State Director of Public Health; Doctor Marshall Porter, State Director of Mental Hygiene; and Doctors A. A. Morrison, R. S. Kneeshaw, H. G. MacLean, Thomas Rossitto, Robert Combs, Carl M. Hadley, Roberta Fenlon, Hartzell Ray and Dan O. Kilroy.

1. Minutes for Approval:

On motion duly made and seconded, minutes of the 431st meeting of the Council, held February 8, 1958, were approved.

2. Membership:

- (a) A report of membership as of March 6, 1958, was presented and ordered filed.
- (b) On motion duly made and seconded in each instance, six applicants were granted Retired Membership. These were: William S. Kiskadden, Thomas Reynold Martin, George W. Moore, Gerald F. Smith, Ralph J. Thompson, Los Angeles County, and Horace F. Pierce, Santa Barbara County.
- (c) On motion duly made and seconded in each instance, 14 applicants were voted Associate Membership. These were: R. L. Christensen, Alameda-Contra Costa County; Harry Howard, Marin County; Clem Cravens, Ramona L. Todd, Eunice S. G. Waters, Napa County; Arnold R. Beisser, S. L. Broussalian, Robert M. Colbert, Charles S. Lobel, Los Angeles County; Leon J. Epstein, Sacramento County; George A. Breon, San Diego County; Wallace V. Epstein, Arthur W. Pryde, San Francisco County, and Thomas J. Gray, Santa Clara County.
- (d) On motion duly made and seconded, reductions of dues were voted for 31 members because of prolonged illness or postgraduate studies.

3. Financial:

- (a) A report of bank balances and associated items was presented and ordered filed.
- (b) A report of income and expenditures for February and for the eight months ended February 28, 1958, was presented and ordered filed.

4. Commission on Medical Services:

- (a) Doctor H. Gordon MacLean, chairman of the Commission on Medical Services, reported that the executive committee of the commission had met with trustees of some labor health and welfare funds for a discussion of problems in this field. No major agreements were reached but further meetings may be scheduled. On motion duly made and seconded, this report was accepted.
- (b) Doctor Frank J. Cox, chairman of the Committee on Fees, reported that Army representatives

now require that certain periods of aftercare be provided under the surgical fee in "Medicare" cases and suggested that, to evaluate this requirement, the committee which drew up the Relative Value Studies be reactivated. On motion duly made and seconded, this suggestion was approved for this particular purpose and for determining a suitable method of providing for payment of a fee to two or more physicians who might be engaged in the same case.

(c) On the recommendation of the commission, and on motion duly made and seconded, the Council voted to reaffirm its earlier decision that, in vocational rehabilitation cases, opposition be continued against different fees for the same service.

5. State Department of Public Health:

Doctor Malcolm Merrill, State Director of Public Health, reported that representatives of his department, of hospitals and of medicine have met to consider the problem of staphylococcus infections in hospitals and that regional meetings on this subject are being planned.

Doctor Merrill also reported on problems presented by the Highway Patrol in interpreting new dangerous drugs regulations applicable to drivers and of the Motor Vehicle Department in the medical aspects of driver licensing.

6. State Department of Mental Hygiene:

Doctor Marshall Porter, State Director of Mental Hygiene, reported that hearings had been held by a State Senate committee on the continuation of seven mental hygiene clinics now operated by the state which his department believes should be converted to community control. At present, funds for continued state operation are provided in the state budget now under consideration.

7. A.M.A. Meeting:

Doctor Sherman reported that the cost of cooperating with the American Medical Association in staging its 1958 meeting in San Francisco would total about \$12,000. On motion duly made and seconded, the Council reaffirmed its earlier decision to offer this cooperation and, by a three-fourths vote, approved the appropriation of this amount.

8. Committee on Scientific Work:

Doctor Daniels, as chairman of the Committee on Scientific Work, presented a list of guests and nonmembers scheduled to participate in the 1958 Annual Session scientific program. On motion duly made and seconded, this list was approved.

9. Woman's Auxiliary:

On motion duly made and seconded, it was voted to increase the annual appropriation to the Woman's Auxiliary by \$250 to assist in its annual meeting.

10. Medical Review and Advisory Board:

Doctor Carl Hadley, chairman of the Medical Review and Advisory Board, reported that a pre-test distribution of a publication on the causes of medical malpractice suits had shown a great interest by those receiving it. On motion duly made and seconded, it was voted to distribute this publication to the entire membership.

Doctor Hadley also reported that statistical studies were continuing and that further report would be made on them.

Richard Blum, Ph.D., psychological consultant, reported that studies were continuing on hospitals and jurors and that additional work was going on in the field of testing patient cooperation. Dr. Blum also stated that postgraduate courses in malpractice prevention had been set up, that he was working with medical schools in developing undergraduate courses in this field, and that conferences were being held with some county medical societies on the malpractice portions of their courses of indoctrination of new members.

11. Request for Additional Council Reports:

A communication from a county medical society, requesting that the Council give a detailed report on its action on resolutions referred to it by the House of Delegates, was read. On motion duly made and seconded, it was voted to present a supplementary report to the House of Delegates on this subject.

12. Amendments to By-Laws:

Amendments to the By-Laws required to effectuate Council decisions on operations and structure of the Association were reviewed. On motion duly made and seconded, it was voted to direct the chairman to introduce these proposed amendments into the 1958 House of Delegates.

13. Committee on Legislation:

Legal counsel Hassard presented a request from the California Hospital Association for a reevaluation of the requirements for foreign graduates to gain approval to serve as interns and residents in California hospitals, especially in view of the opening of offices by a new organization, the Educational Council for Foreign Medical Graduates, which proposes to screen such graduates as to their training and acceptability for hospital appointments in this country. On motion duly made and seconded, it was voted to ascertain the views of the State Board of Medical Examiners on this subject and to secure additional information on the Educational Council for Foreign Medical Graduates.

Mr. Hassard and Doctor Dan O. Kilroy, chairman of the Committee on Legislation, reported that "diploma mill" legislation (AB 6) has been introduced

into the current legislative special session, to establish a system of reporting on courses, faculty members and other items by all institutions purporting to issue diplomas in any course of learning above the secondary grades. Such reporting would be to the State Superintendent of Public Instruction under the Education Code.

Mr. Hassard also reported that a committee of representatives of hospital, medical and county organizations was being established to review the making of contracts by county boards of supervisors with private hospitals for the care of county wards. On motion duly made and seconded, it was voted to authorize the chairman of the Council to nominate two members for appointment to this advisory committee.

14. Commission on Public Health and Public Agencies:

- (a) Doctor Warren Bostick, chairman of the Commission on Public Health and Public Agencies, reported that the Committee on State Medical Services had met to consider proposed rehabilitation programs and urged that county societies be informed on this subject. On motion duly made and seconded, it was voted to request the county societies to activate their rehabilitation committees without delay.
- (b) Doctor Bostick also reported on discussions reported earlier by Doctor Malcolm Merrill on staphylococcus infections in hospitals. On motion duly made and seconded, it was voted to authorize the commission to disseminate information to hospitals and their staffs on this subject.
- (c) Inasmuch as public supplies of poliomyelitis vaccine are now exhausted, it was regularly moved, seconded and voted that physicians be encouraged to carry on a program of securing the vaccination of their patients under age 40.
- (d) Doctor Bostick discussed the efforts of some hospitals to secure a system under which physicians providing services under the Crippled Children's Act would be compensated on a direct billing basis, rather than as a part of a per diem payment to the hospital. It was suggested that the Committee on Fees consider this subject in the near future in an effort to establish a basis for the determination of separate billing procedures. On motion duly made and seconded, it was voted to refer this matter to the Commission on Medical Services and its Committee

on Fees, which would work with a committee from the California Hospital Association and transmit its recommendations to the State Department of Public Health

15. Committee on Nominations:

Doctor Bostick, as chairman of the Committee on Nominations, submitted a list of commission and committee nominations prepared by his committee. The report also contained a suggested realignment of committees under the overlying commissions; on motion duly made and seconded, the committee realignment was approved and the secretary instructed to prepare suitable By-Law amendments to effectuate this suggestion.

16. Public Welfare Assistance Law:

Doctor West presented a draft of a letter which he proposed be mailed to all Association members by the Council, relative to the position and attitude of the Council on the Public Welfare Assistance Law. On motion duly made and seconded, the sending of this letter was approved.

17. Legal Counsel:

On recommendation of the Executive Committee, it was regularly moved, seconded and voted that the retainer fee paid to legal counsel be established at \$18,000 annually.

18. Public Relations:

Ed Clancy, Director of Public Relations, reported that a poll taken of the physicians attending the annual conference of county society officers on March 8 had indicated that all but one of the respondents reported they read *C.M.A. Newsletter* regularly and approved its content and method of presentation of news. Mr. Clancy also reported that the American Medical Association will inaugurate a tabloid form of newspaper for its members. He also reported on plans for meetings of medical students, interns and residents.

19. Time and Place of Next Meeting:

It was agreed that the next meeting of the Council would be held in San Francisco on Saturday, April 12, 1958.

Adjournment:

There being no further business to come before it, the meeting was adjourned at 6:30 p.m.

IVAN C. HERON, M.D., Vice-Chairman Albert C. Daniels, M.D., Secretary